

REMARKS

Status of Claims:

Claims 1-33, 35, 38, 42, 45, 49, and 52 remain cancelled. Claims 34, 41, and 48 are currently amended. Claims 55 and 56 remain withdrawn.

Thus, claims 34, 36, 37, 39-41, 43, 44, 46-48, 50, 51, and 53-56 are pending in the application and, of those claims, claims 55 and 56 remain withdrawn. A detailed listing of all claims that are in the application is presented with appropriately defined status identifiers.

Claim Rejections:

Claims 34, 36-37, 39-41, 43-44, 46-48, 50-51, and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Patent No. 5,987,424) in view of Kenney (U.S. Patent No. 5,515,424) and further in view of Gupta (U.S. Patent No. 5,206,899).

With respect to claims 34, 36-37, 39-41, 43-44, 46-48, 50-51, and 53-54, the rejection is respectfully traversed.

The Office Action recognizes that neither Nakamura nor Kenney teach immediately registering or immediately canceling registration of a portable terminal. (Office Action; page 4). The Office Action then points to Gupta. (Office Action; page 4). However, *even if* the teachings of Gupta were combined with the teachings of Nakamura and Kenney, the resulting device would still not include at least the following claimed features of the present independent claim 34:

(A) “a registration request means for issuing an immediate registration request to immediately register for advertisement information broadcast from an advertisement information broadcast server according to operation of the portable communication terminal;”

(B) “a registration cancellation means for issuing an immediate cancellation to immediately cancel registration of the portable communication terminal for the advertisement information broadcast from said advertisement

information broadcast server according to operation of the portable communication terminal;” and

(C) “wherein said display means automatically displays said advertisement information on a standby screen from the issuance of the immediate registration request by said registration request means to the issuance of the immediate cancellation by said registration cancellation means, when the portable communication terminal is in a standby state.”

In the Gupta reference, field 400 of database 102 contains a unique identification (ID) number assigned to each subscriber and a personal identification number (PIN) used by the subscriber to activate a specific target station, while field 401 contains a telephone number of the target station. (Gupta; FIG. 5). Fields 402-406 of database 102 contain data describing various calling features that are activated with respect to the target station. (Gupta; FIG. 5). In database 102, information contained in fields 407 and 408 indicate a start and/or stop time and date during which the service is “active.” (Gupta; FIG. 5; col. 5, lines 40-42). In accordance with such information entered in relevant fields of database 102, various services are set to target stations that are specified by the subscriber.

In Gupta, if start and stop times have been entered, the services contained in fields 402-406 are activated and remain active in the target station during a time period designated by the start and stop times. Further, update or change to the record or content (service update) in fields 402-406 is allowed only for a time period during which the target station is activated. Meanwhile, the services contained in fields 402-406 will be activated when field 407 (start time) in database 102 is empty. (Gupta; col. 5, lines 43-45).

From the foregoing, it will be understood that Gupta teaches two embodiments, namely, the first one in which the service is activated for a fixed time period designated by the definition of start and stop times, and the second in which the start and stop times are not entered and the service is usually activated and remains active. (Gupta; col. 5, lines 36-49). Thus, Gupta does not teach at all about designating an immediate service start and immediate service stop as desired by operating a portable communication terminal.

In Gupta's first embodiment, the service is not provided immediately to the target station when the subscriber accesses the database 102 to enter the start and stop times in fields 407 and 408, respectively, (corresponding to registration/cancel of service), unlike embodiments of the present invention. Moreover, in Gupta's second embodiment, the service is always provided to the target station. Gupta's second embodiment can do without entering the start and stop times in database 102. In other words, the registration/cancel of the service is not required. Thus, Gupta (both the first and second embodiments) does not teach at all about designating an immediate service start and immediate service stop as desired by operating a portable communication terminal.

In this connection, the Examiner alleges that Gupta's teaching "service will be activated immediately ... (col. 6, lines 44-47)" corresponds to the expression "to immediately register" in the present claims. However, as this portion of the Gupta specification pointed out by the Examiner describes an operation of the above-described second embodiment of Gupta, the adverb "immediately" recited in Gupta should be interpreted as "usually" or "always" in respect of function or operation, setting aside what is literally meant by this term. Thus, the term "immediately" in Gupta is substantially different from what is meant by the adverb "immediately" used in such clauses as "to immediately register" and "to immediately cancel" in the present claims.

In view of the foregoing, it can be said the present independent claim 34 includes at least the following features A through C that are not found in the combination of Nakamura and Kenney with Gupta:

- Feature A: A registration request means for issuing an immediate registration request in response to operation of a portable communication terminal;
- Feature B: A registration cancellation means for issuing an immediate cancellation to immediately cancel the registration of the portable communication terminal in response to operation of the portable communication terminal; and
- Feature C: A display means automatically displays advertisement information on a standby screen in a period from issuance of the immediate registration request by the

registration request means to the issuance of the immediate cancellation by the registration cancellation means.

Seeing that such features A-C of the present independent claim 34 are not taught in Nakamura, Kenney, or Gupta as described above, it is clear that embodiments of the present invention could not have been realized even by combining these three cited references in any manner. According to embodiments of the present invention, since an immediate start/stop of the service can be designated by operating a portable communication terminal, an operator of the portable communication terminal is allowed to receive the service as desired at a desired time for a desired length of time.

Therefore, independent claim 34, as amended, is neither disclosed nor suggested by the Nakamura, Kenney, and Gupta references, alone or in combination, and, hence, is believed to be allowable. The Patent Office has not made out a *prima facie* case of obviousness under 35 U.S.C. 103.

Independent claim 41, as amended, is believed to be allowable for similar reasons as the reasons discussed above with respect to claim 34. Also, independent claim 48, as amended, is believed to be allowable for similar reasons as the reasons discussed above with respect to claim 34.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment,

to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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